

UNITED STATES OF AMERICA,

Plaintiff,

V.

MICHAEL F. WEAVER,

Defendants.

MEMORANDUM AND ORDER

IT IS ORDERED that:

- ¹It should also be noted that there is a pending Rule 35(b) motion. (Filing no. 248.)

2. The probation office has already provided a “Retroactive Sentencing Worksheet” to the undersigned. If counsel do not have a copy, counsel should contact the probation office to obtain one.
3. No later than June 1, 2012, counsel shall confer and do one of the following:
 - A. File a stipulation signed by both counsel containing the following provisions: (i) an agreement that the defendant is eligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c) and U.S.S.G. § 1B1.10; (ii) an agreement that the defendant may be resentenced without being present and without further notice; and (iii) an agreement regarding the recommended sentence.
 - B. In lieu of the stipulation provided in paragraph A, counsel for the government shall contact my judicial assistant and arrange a telephone conference with the undersigned and counsel for the defendant so that further progression of this case may be scheduled.
4. The Clerk shall provide a copy of this Memorandum and Order to counsel and to the defendant at his or her last known address.

DATED this 10th day of May, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge